GOVERNMENT OF INDIA
LAW AND JUSTICE
LOK SABHA

UNSTARRED QUESTION NO:1016
ANSWERED ON:23.11.2007
SHORTAGE OF MANPOWER IN COURTS
Saradgi Shri Iqbal Ahmed

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether a reprot prepared by the Supreme Court has pointed out that manpower shortage is responsible for backlog of cases and reveals that the vacancies, both in the High Courts and District Courts, have had a direct bearing on the pendency of cases which has shown an increase over the quarters January-March and April-July, 2007;

(b) if so, whether the Government has considered the report; and

(c) if so, the time by which the Government is likely to increase or at least fill the present vacant posts in Courts?

Answer

MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ)

(a) The Supreme Court has not sent any such report to the Government.

(b) Does not arise.

(c) The Law Commission of India in its 120th report submitted in 1987 examined the question of judges strength and suggested that the judges' strength which was 10.5 judges per 10 lakh of population at that time had to be increased to 50 judges per 10 lakh of population within a period of 5 years. The Standing Committee of Parliament in its 85th Report submitted in February, 2002 endorsed the ratio recommended by the Law Commission. This issue was also discussed in a Joint Conference of Chief Justices chaired by the Chief Justice of India. In its judgement dated 21st March, 2002, in WP (Civil) No.1022 of 1989, the Supreme Court directed increasing judges' strength to 50 judges per 10 lakh of population in a phased manner. In so far as the judges' strength in the High Courts is concerned, Government reviews the matter triennially and after last such review, Government has recently increased the strength of judges in the High Courts by 152 posts bringing the approved strength of judges in 21 High Courts to 944. The proposals for appointment of judges to the High Courts are to be initiated by the Chief Justice of the concerned High Court. Administration of justice upto the High Courts is a matter falling within the domain of responsibilities of the State Governments and it is for the respective State Government to decide on the matters of increase of posts of judges in the District Courts and filling up of vacant posts of judges in consultation with their respective High Courts.